

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**May 2014 GRAND JURY
(Impaneled 5/9/2014)**

THE UNITED STATES OF AMERICA

-vs-

LISA MILLER
(Counts 1, 2),
PHILIP ZODHIATES
(Counts 1, 2), and
TIMOTHY MILLER
(Counts 1, 2)

**SUPERSEDING INDICTMENT
14-CR-175-A**

Violations:

Title 18, United States Code,
Sections 2, 371 and 1204
(2 Counts)

COUNT 1

(Conspiracy)

The Grand Jury Charges That:

From in or about September 2009 to on or about the date of the return of this Superseding Indictment, in the Western District of New York, and elsewhere, the defendants, LISA MILLER, PHILIP ZODHIATES, and TIMOTHY MILLER, did knowingly, willfully and unlawfully combine, conspire and agree together and with Kenneth Miller and others, known and unknown to the Grand Jury, to commit an offense against the United States, that is, to remove a child, J1, from the United States and to retain that child, who had been in the United States, outside the United States, with intent to obstruct the lawful exercise of parental rights, in violation of Title 18, United States Code, Section 1204.

Overt Acts

In order to effect the object of the conspiracy, the following acts were committed by the defendants and others in the Western District of New York and elsewhere:

1. On or about September 21, 2009, defendant LISA MILLER, J1, and defendant PHILIP ZODHIATES travelled from Virginia to the Buffalo, New York, area.

2. On or about September 21, 2009, defendant PHILIP ZODHIATES had telephone contact from the Buffalo, New York area with Kenneth Miller.

3. On or about September 21, 2009, defendant PHILIP ZODIATES had telephone contact from the Buffalo, New York area with an individual in Canada who had agreed to help transport defendant LISA MILLER in Canada.

4. On or about September 22, 2009, defendant LISA MILLER and J1 travelled across the Rainbow Bridge from Niagara Falls, New York, to Canada.

5. On or about September 22, 2009, defendant PHILIP ZODIATES had telephone contact from the Buffalo, New York area with an individual in Canada who helped transport defendant LISA MILLER in Canada.

6. On or about September 22, 2009, defendant PHILIP ZODHIATES had telephone contact from the Buffalo, New York area with Kenneth Miller.

All in violation of Title 18, United States Code, Section 371.

COUNT 2

(International Parental Kidnapping)

The Grand Jury Further Charges That:

On or about September 22, 2009, in the Western District of New York, and elsewhere, the defendants, LISA MILLER, PHILIP ZODHIATES, and TIMOTHY MILLER, with intent to obstruct the lawful exercise of parental rights, did knowingly remove, and aid and abet the removal of, a child, J1, a person known to the Grand Jury, from the United States.

All in violation of Title 18, United States Code, Sections 1204 and 2.

DATED: Buffalo, New York, April 24, 2015.

WILLIAM J. HOCHUL, JR.
United States Attorney

BY: S/KATHLEEN A. LYNCH for
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A TRUE BILL:

S/FOREPERSON